

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

vs.

Criminal Action No.  
5:05-MJ-432 (GJD)

BRADLEY VOSS,

Defendant.

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APPEARANCES:

LISA M. FLETCHER, Asst. U.S. Attorney  
For Government

DAVID SECULAR, Asst. FPD  
For Defendant

ORDER APPROVING WAIVER OF DETENTION HEARING  
AND PRELIMINARY HEARING

Defendant has been charged in a criminal complaint with possessing with certain activities relating to material constituting or containing child pornography, in violation of 18 U.S.C. § 2252A.

During the initial appearance conducted on November 21, 2005, the defendant, through counsel, voluntarily waived his right to an immediate detention hearing and agreed to remain in custody, reserving his right to request that I schedule a detention hearing at a later time. I accept his waiver as knowing and voluntary and, there being no objection on the part

of the government, agree to adjourn any detention hearing in this matter indefinitely subject to the defendant's right to request a hearing at any time in the future.

During the November 21, 2005 court appearance the defendant, again through his counsel, also advised that he desires to waive his right to a preliminary hearing. I find that the defendant has knowingly and voluntarily waived his right to a preliminary hearing with full knowledge of the consequences thereof.

Based upon the foregoing, including defendant's voluntary representations, it is hereby

ORDERED, that defendant's waiver of his rights to a detention hearing and to a preliminary hearing, which I find to have been knowing, intelligent and voluntary, is accepted; and it is further

ORDERED, that defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United

States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated: November 22, 2005

  
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Hon. Gustave J. DiBianco  
U.S. Magistrate Judge